REMARKS

Claims 1 – 12 are presently pending. With the current Response, Applicants amend claims 1 – 5 and 12 and add new claim 13. No new matter is introduced. Support for the claim amendments may be found, for example, at page 6, line 9 through page 8, line 5, and page 11, line 16 through page 12, line 21 of Applicants' specification

INFORMAL DRAWING

The Examiner indicates that that drawing is considered to be informal. To correct minor informalities, Applicants provide proposed replacement sheets for FIGs. 7,8, in both marked-up and clean versions. Applicants respectfully request that that proposed revisions to FIGs. 7. 8 be accepted. Upon notification of such acceptance, Applicants will file a complete formal drawing.

REJECTION UNDER 35 U.S.C. § 101

Claims 1 - 3 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. The Examiner suggests that the claims are not limited to language within the technological arts. Applicants amend claims 2 and 3 to depend from independent claim 1, and amend independent claim 1 to clearly recite a method practiced within the technical arts. Specifically, amended independent claim 1 recites a method by which

advertisement information is retrieved from an advertising information server based on an identifier for digital contents requested by a user from a contents provider and an identifier of the user, transferred from the advertising information server to a user terminal of the user, and automatically inserted in the digital contents that are transferred to the user by the contents provider, so that the advertisement information will automatically be rendered upon activation of the digital contents. In other words, the claimed method employs computer servers and digital data to automatically select and launch advertisement information incorporated in digital contents based on information regarding the digital contents and the requesting user. Support for these amendments may be found, for example, in Applicants' specification at page 11, line 16 through page 12, line 21.

Accordingly, Applicants respectfully submit that claims 1 – 3 are limited to language within the technological arts, and request that the rejection under 35 U.S.C. § 101 be withdrawn.

REJECTION UNDER 35 U.S.C. § 103

Claims 1 – 12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0010623 to McCollom et al. Applicants amend claims 1 – 5 and 12 to further clarify the nature of their invention, and respectfully traverse this rejection.

McCollom discloses a system and method for publishing, distributing and redeeming coupons (see, e.g., abstract of McCollom). A merchant server provides information to a commerce server for creating coupons, and for providing coupon access to consumers. The consumer can directly access the merchant server and request that a

coupon be applied to a purchase. The merchant server verifies that the coupon is valid, and then allows its redemption. As illustrated for example with reference to FIG. 19 of McCollom, a advertisement list 340 displays advertisements which may be selected by a user for detailed display, for example, by clicking on an advertisement icon [see, e.g., paragraph [0144] of McCollom].

In sharp contrast, and as claimed for example by Applicants in amended independent claims 1 – 5 and 12, Applicants claim a digital contents distribution system and method in which advertising information associated with digital contents downloaded by a user is automatically selected and transferred by a advertising information server in response to a user download request for the digital contents, based on identification information for the digital contents and identification information for the downloading user. As a result, and in sharp contrast to the distribution system of McCollum, the advertising information is automatically selected, distributed, rendered upon activation of the digital contents by the user. In other words, unlike the distribution system of McCollum, Applicants' claimed method and system provide relevant advertising information to the user without any direct intervention by the user to select the advertising information. In this manner, advertisers can be more assured that advertising information of relevance will be displayed to users than they would be by employing a system as described by McCollum in which the user must select an advertising screen for display that contains items of limited relevance or interest.

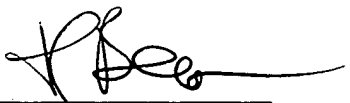
Accordingly, Applicants respectfully submit that independent claims 1 – 5 and 12 are not made obvious by McCollom, and are in condition for allowance. As claims 6 – 11

depend from allowable claim 4, Applicant further submit that claims 6 – 11 are allowable for at least this reason.

CONCLUSION

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 1 - 12, consisting of independent claim 1 – 5 and 12 and the claims that depend therefrom, stand in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, he is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Respectfully submitted,



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Docket No.: 100809-16225 (SCEI 18.302)
TJB: pm

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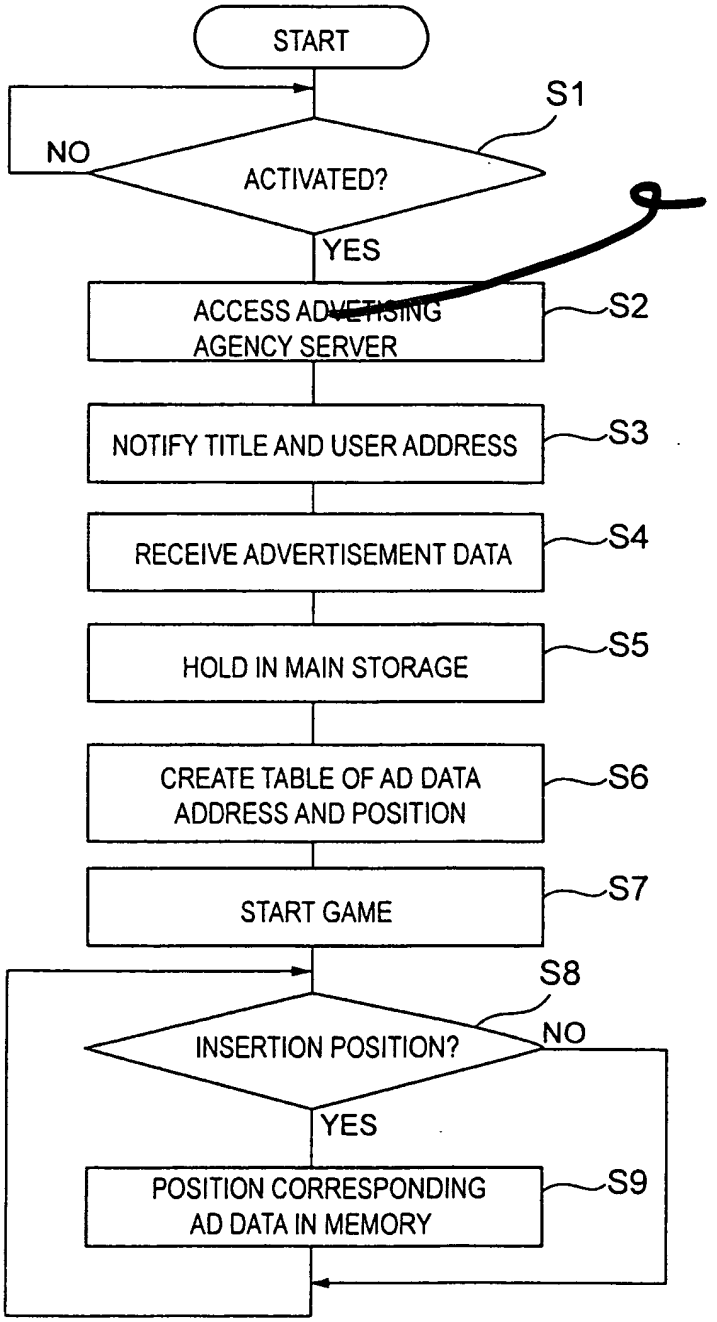

FIG. 7

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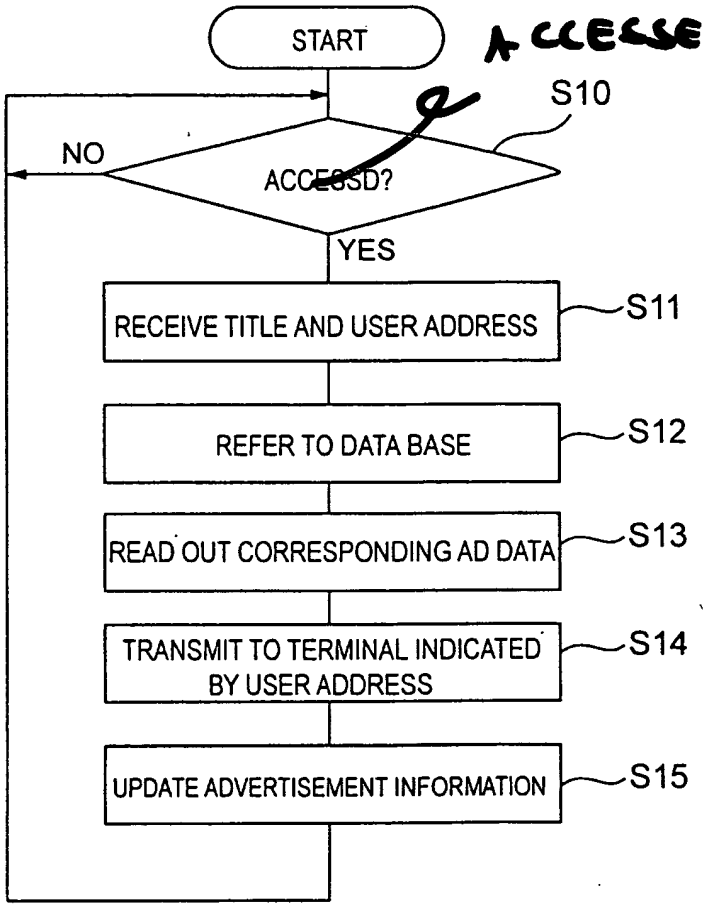

FIG. 8